

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 19-20726

vs.

HON. PAUL D. BORMAN

D-2, VANCE PEARSON,

Defendant.

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GOVERNMENT’S MOTION FOR DOWNWARD DEPARTURE  
PURSUANT TO USSG § 5K1.1

The United States respectfully moves pursuant to Section 5K1.1 of the Sentencing Guidelines to sentence the defendant, Vance Pearson, below the guideline range due to his substantial assistance. In support of this motion, the government states as follows:

In September of 2019, federal agents arrested Pearson on a criminal complaint charging him based on his participation in an embezzlement conspiracy against the UAW. A short time later, starting in early December of 2019, Pearson began cooperating with the federal investigation through a series of in-person and over-the-phone interviews. During these debriefings, Pearson was candid both about his own criminal activity, and about others’ actions. Pearson also pointed out and agreed to forfeit money from two bank accounts—a “flower fund” account that

contained \$81,000 and another “Members in Solidarity” account that had \$38,000—that investigators would have otherwise not known about. Pearson also agreed to plead guilty and, if necessary, testify against his co-conspirators.

Undersigned counsel disclosed Pearson’s cooperation to attorneys for Gary Jones and Dennis Williams. And the government believes that Pearson’s cooperation was an important factor that led to the decisions of both Jones and Williams to plead guilty. In addition, immediately prior to Williams’s sentencing, Pearson provided information to the government agents that was helpful for that sentencing.

Pearson’s cooperation also helped the government in its effort to secure oversight of the UAW. Based on its investigation, in December of 2020, the United States filed a civil lawsuit against the UAW pursuant to the Anti-Fraud Injunction Act, 18 U.S.C. § 1345. The parties agreed to resolve the matter. And pursuant to this agreement, the district court entered a Consent Order which provided for the appointment of an Independent Monitor. It also provided for a referendum by UAW members, which will allow them to vote on whether to change the UAW’s election system to a direct election method. And it provided for the UAW to pay \$1.5 million to resolve tax issues with the IRS, and the payment of millions of dollars to the Ford and FCA US training centers based on improper chargebacks of

UAW salaries. Pearson's cooperation assisted the government in preparing its civil lawsuit and negotiating this resolution with the UAW.

Given this significant assistance in the government's investigation and prosecution of Jones and Williams, the government moves, pursuant to USSG § 5K1.1, for a downward departure from the sentencing guideline range, which is 24-30 months. More specifically, the government requests the Court impose a 14-month sentence.

Respectfully submitted,

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**CERTIFICATION OF SERVICE**

I hereby certify that on **June 29, 2021**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

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